



James T. Higgins, At Large
Council President

Jeffrey J. Mutter, District 2
Council President Pro-tem

Antonio J. Albuquerque, District 1
Council Member

Mia A. Ackerman, District 5
Council Member

Bruce A. Lemois, At-Large
Board of Licensing Chair

Kelley Morris, District 3
Board of Licensing Vice Chair

Jason B. Kirkpatrick, District 4
Council Member

**AGENDA OF THE CUMBERLAND TOWN COUNCIL
REGULAR MEETING OF THE CUMBERLAND TOWN COUNCIL
WEDNESDAY, MAY 21, 2008 AT 7:30 P.M.
CUMBERLAND TOWN HALL
EVERETT "MOE" BONNER, JR. COUNCIL CHAMBERS
45 BROAD STREET, CUMBERLAND
OPEN SESSION**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. GENERAL ANNOUNCEMENTS

4. UNANIMOUS CONSENT ITEMS

5. CONSENT AGENDA

A. Acceptance of Minutes of the Special Town Council Meeting of April 28, 2008 and the Regular Town Council Meeting of May 7, 2008.

B. COMMUNICATIONS:

- 1. C-08-31** – A letter from D.E.M. regarding an Insignificant Alteration-Permit to Alter Freshwater Wetland, Application No. 07-0255 in reference to Assessor's Plat 17, Lot 148 intersection of Waterman Farm Road and Bear Hill Road.
- 2. C-08-32** – A letter from D.E.M. regarding an Insignificant Alteration-Permit, Application No. 08-0041 in reference to Assessor's Plat 55, Lot 102 intersection of Secluded Court and Farm Drive,
- 3. C-08-33** – A resolution of the City of Providence seeking support of a resolution that they adopted on April 17, 2008 regarding Senate Bill 2008-S 2706 and House Bill 2008-H 7195, An Act Relating to Motor and Other Vehicles-Automated Traffic Violation Monitoring Systems
- 4. C-08-34** – A letter from the Councilor Harriet Allen and Councilor Katharine Waterman of the Charlestown Town Council stating their opposition to a resolution their Town Council adopted on April 14, 2008 regarding Rhode Island Department of Environmental Management, Water Resource Division
- 5. C-08-35** – A letter from the Town of Middletown seeking support of a resolution that they adopted on April 7, 2008 regarding House Bill No. 7776, an Act Relating to Labor and Labor Relations-Health and Welfare Funds- Pension Plans

6. **C-08-36** – A letter from the Town of North Kingstown seeking support of a resolution that they adopted on May 12, 2008 regarding USS Saratoga Museum Foundation, Inc

C. DEPARTMENT REPORTS:

Building Official
Tax Assessor
Parks and Recreation Department
Animal Control
Police Department
Rescue Department

6. LICENSES -

A. VICTUALLING HOUSE LICENSE-PUBLIC HEARING:

1. An application for a transfer of a Victualling House License from Ben Fonseca to Matthew Kinch of Universal Investments Inc. d/b/a Del's Lemonade located at 184 Mendon Road

B. HOLIDAY LICENSE

1. An application for a Holiday License from Matthew Kinch of Universal Investments Inc. d/b/a Del's Lemonade located at 184 Mendon Road

C. PEDDLER LICENSE

1. An application for a Peddler's License from Matthew Kinch of Universal Investments Inc. d/b/a Del's Lemonade located at 184 Mendon Road

7. FINANCE REPORT:

1. General Fund Financial Report as of 4/30/08 for the current FY 2007-2008 period.

8. OLD BUSINESS

A. ORDINANCES FOR PUBLIC HEARING:

1. **#07-27** – An Ordinance relating to Fair Share Development Impact Fees (last tabled from April 16, 2008)
2. **#08-04** – An Ordinance for a change to the Town of Cumberland Zoning Map – Assessor's Plat 53, Lots 3 & 4 (last tabled from April 16, 2008)
3. **#08-09** – An Ordinance in amendment to the Town of Cumberland Comprehensive Community Plan Ordinance (last tabled from April 16, 2008)

B. RESOLUTION

1. **R-07-187**– A Resolution relating to the Town of Cumberland Employee Manual (last tabled from April 16, 2008)
2. **R-07-187**– A Resolution adopting the Executive Position Description Manual (last tabled from April 16, 2008)
3. **R-08-63** – A Resolution Authorizing Mayor McKee and the Finance Director, Tom Bruce, III, to execute and deliver a Master Lease Agreement with the Sun Trust Equipment Finance and Leasing Corporation, Inc. of Towson, Maryland related to the purchase of school department capital equipment in an amount not to exceed \$1,6000,000 (last tabled from May 7, 2008)

9. NEW BUSINESS

A. APPOINTMENT:

1. Appointment of Alan Brodd as the Water Superintendent

B. CLAIMS:

1. Annette Poulin of 12 Forestdale Drive, Cumberland
2. James Murphy of 38 High Ridge Road, Cumberland

C. RESOLUTIONS:

1. **R-08-64** – A Resolution Authorizing Mayor Daniel J. McKee to Execute a Quitclaim Deed to Billington Farms, LLC
2. **R-08-65** – A Resolution Memorializing the General Assembly to Enact Legislation authorizing the Town, with the approval of the qualified electors, to issue bonds and notes for the purpose of financing road improvements in the Town
3. **R-08-66** – A Resolution Authorizing and Empowering Mayor Daniel J. McKee to Enter into an Employment Agreement with the Superintendent of Water
4. **R-08-67** – A Resolution Authorizing an increase to the approved amount of the existing contract with CAM HVAC & Construction of Smithfield, Rhode Island in an amount not to exceed \$1,101 for a smoke damper in the electric room as a portion of Part II of the CHS2010 Phase III Project at Cumberland High School
5. **R-08-68** – A Resolution Authorizing the Town of Cumberland to issue general obligation judgment bonds for the purpose of providing funds for the payment of uninsured portion of a settlement arising out of litigation against the Town relating to those certain matters entitle Delaney Vs Kusminski, (C.A. NO. 02-7096) and to issue not more than \$132, bonds therefore

D. ORDINANCES FOR PRESENTATION AND PERMISSION TO ADVERTISE:

1. **#08-16** – An Ordinance establishing the Operating Budget for the town of Cumberland for the Fiscal Year 2008-2009 (Presented by Council President Higgins on behalf of the Administration)
2. **#08-17** – An Ordinance establishing the Water Department Budget for the Fiscal Year 2008-2009 (Presented by Council President Higgins on behalf of the Administration)
3. **#08-18** – An Ordinance establishing the Sewer Department Budget for the Fiscal Year 2008-2009 (Presented by Council President Higgins on behalf of the Administration)
4. **#08-19** – An Ordinance establishing the Recreation Department Budget for the Fiscal Year 2008-2009 (Presented by Council President Higgins on behalf of the Administration)
5. **#08-20** – An Ordinance relating to the issuance of licenses or permits to carry concealed pistols and revolvers (Presented by Council President Higgins on behalf of the Administration)

10. PUBLIC COMMENTS:

11. ADJOURNMENT:

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired or additional information should notify the Town Clerk's Office at (401) 728-2400 ext. 138 no less than 48 hours before the meeting.

Posted: May 16, 2008

TELEPHONE: 401-728-2400, Ext. 138 • www.cumberlandri.org